

MUNICIPAL SERVICES BENEFIT UNIT PROGRAM

BEFORE

WALL RECONSTRUCTION

AFTER



Pre-Cast Panel



Brick



Split Face Concrete Block

April 2010



Mission Statement:

To assist property owners in unincorporated areas of Seminole County with the opportunity to acquire essential public health and safety improvements for their communities

Rev. 02

The following information is offered to help applicants understand the process of establishing an MSBU and the resulting roles and responsibilities once an MSBU is established.

For additional information regarding the community improvements available through the MSBU Program, active MSBUs, and various services available on-line, please visit the MSBU Program website:

<http://www.seminolecountyfl.gov/fs/msbu/index.asp>



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General Information

MSBU Program & Non-Ad Valorem Assessment

The **MSBU Program of Seminole County** administers the non-ad valorem assessment districts for various local improvements and services within the unincorporated boundaries of Seminole County. A non-ad valorem assessment district as established in Seminole County is commonly referred to as an MSBU (Municipal Service Benefit Unit). Through the establishment of an MSBU, property owners can acquire essential improvements to neighborhood common areas, infrastructure, and facilities which serve essential public purposes. Community improvements financed via non-ad valorem assessment in Seminole County include collection/disposal services for residential household solid waste, residential street lights, aquatic weed control, lake restoration, retention pond renovation and constructed improvements such as road paving and drainage, sidewalk repair, wall reconstruction and water/sewer transmission line extension.

The cost for providing the improvements is allocated and assessed to the benefiting properties on an equitable cost sharing basis. The per property assessment associated with an MSBU is based on the cost to provide and/or maintain the improvement, the selected benefit unit base, the number of benefiting properties, and the benefit unit(s) allocated to each participating property. Through the MSBU Program, non-ad valorem assessments are levied by the Board of County Commissioners (BCC). The non-ad valorem assessments are collected through the annual property tax bill as indicated in Florida Statutes [Chapter 197](#) at 197.3632.

The MSBU Program operates according to guidelines as set forth in the Florida Statutes and the Seminole County Administrative Code.

Florida Statutes: <http://www.leg.state.fl.us/Statutes/index.cfm>

- [Chapter 125](#) County Commission Powers and Duties (primarily sections .01 and .0101)
- [Chapter 197](#) Tax Collections, (primarily sections 197.292, .322, .363, .3631, and .3632).

Seminole County Administrative Code:

http://www.seminolecountyfl.gov/ca/admin_code/

- [Section 22.10](#) [PDF](#) of MSBU Program Operating Guidelines and
- [Section 20.37](#) [PDF](#) of MSBU Program Fee Schedule.

In addition to the above guidelines, the policies and practices of the MSBU Program are further defined according to specific [Ordinance and/or Resolution](#) documents used to govern specific MSBUs. The MSBU Program uses two main funding formats for assessments – fixed term and variable rate. The fixed term format is related to MSBUs that require extended financing over a period of years in order to enhance the affordability to property owners for project repayment. The variable rate format is used for MSBUs that do not have a set closure date and for which assessments are calculated annually based on projected cost to provide continuation of the service or improvements in the forthcoming year(s). For example, the assessments for street lighting or aquatic weed control improvements are variable rate assessments; while water/sewer, sidewalk, wall reconstruction, and road paving are typically fixed term.

MSBU Process and Procedures

Wall Reconstruction

The MSBU funding format is available in Seminole County for community wall reconstruction improvement projects designed to benefit Seminole County property owners. Wall reconstruction projects serve an essential public purpose by providing noise reduction, light abatement and boundary identification. The following information provides an overview of the acceptance criteria and process of creating an MSBU. Additional information is also included in the “Application Completion” section of this packet.

Acceptance Criteria: The Municipal Service Benefit Unit Program is authorized to accept and process applications for wall reconstruction through non-ad valorem assessment providing the following application criteria are met:

- Existence of a damaged, destroyed, and/or deteriorating community wall;
- Community has no means to levy/enforce private assessment for wall reconstruction;
- Requires owner signed *Letter of Intent* (for temporary easement/leasehold to be granted to the County) documents from 100% of wall-abutting properties;
- Reconstruction material requested is brick, block/stucco, or precast concrete;
- Applicant [1] will provide sealed design/engineering plans suitable for public bid/procurement, [2] substantiate ability to fund preliminary engineering, or [3] requests precast concrete panels that do not require design/engineering
- The property to be benefited is located in unincorporated Seminole County;
- The proposed boundary (properties to be included) includes a minimum of two distinct assessable parcels

Wall versus Fence: A community wall is defined as a permanent upright structure constructed of concrete block, brick or precast concrete used to prevent entrance, provide sound barrier, light abatement, and/or to mark a subdivision or community boundary. A community fence is defined as a barrier or enclosure usually made of posts and wire or wood that is used to define subdivision/community boundaries. Replacement of fencing structures, and the upgrading from fence to wall structures are both excluded from consideration under the MSBU Program section of the County Administrative Code.

Community Support & Board of County Commissioner Review: The MSBU creation process requires community involvement and support. After a proposed project is confirmed to meet the criteria for establishing an MSBU, and community support is documented through the petition process, then the Board of County Commissioners will give consideration to enacting an ordinance to create and govern the MSBU and approve for the project scope. The Ordinance will outline the manner in which the project funding will be provided and the terms under which the funds will be reimbursed to the County by the benefiting properties. A cost share assessment will be levied against each property that benefits from the wall reconstruction at the time of establishing the ordinance, however, collection of the assessment will be delayed until construction is completed.

MSBU Process and Procedures (continued)

Cost Constraint Protection: Cost constraint provisions, such as limiting total projects cost a specific amount or cap are included in the petition process and the Ordinance. In the event that bid costs exceed the authorized range, subsequent petitioning will be required to confirm community support for continuation of project given the higher cost of the project.

Assessment Allocation The parcels deemed by the County to receive benefit from a neighborhood wall include parcels directly abutting the wall and parcels within the interior boundaries of the community or neighborhood for which the wall is intended to represent and benefit. For assessment calculation (distribution of cost share) each parcels abutting the wall is assigned 1.25 benefit units; each non-abutting parcel is assigned 1 benefit unit. The assessment (allocation of cost share) per benefit unit is determined by dividing the total cost of the project by the total number of benefit units. The per property assessment (cost share) is then determined by multiplying the assessment per benefit unit by the number of units [either 1 or 1.25] assigned to a parcel.

Easements & Leasehold: MSBU wall reconstruction improvements are classified as “construction projects” and typically require that certain property owners grant specific easement and/or leasehold to cover the preconstruction, demolition, reconstruction, and repayment stages of the wall reconstruction project. The need for various agreements is determined according to ownership status of the land on which demolition and reconstruction will occur. Sample “letters of Intent” to establish owner intent to grant easement/leasehold rights are available from the MSBU Program and are included in the application packet. The formal agreement documents required for the project will be prepared by the County Attorney and distributed for owner completion after an application is received and reviewed for preliminary acceptance of the project.

Construction Material: There are three categories of construction material available for wall construction – brick, concrete block, and precast concrete. Many variations are available within each category and are subject to applicant/community liaison preferences. When selecting specific material preferences within a particular category, the identification and selection is the responsibility of the applicant and/or community liaisons. Identification of the specific material is required prior to submitting the application and should be used in obtaining preliminary cost estimates (Refer to application completion section of packet) from contractors.

Landscaping, irrigation, electrical service and/or lighting are specifically excluded from the service scope for wall reconstruction projects. Additional features of this nature must be privately funded and privately coordinated by applicant or other community representatives.

Project Approach: There are three distinct project approaches for wall reconstruction projects offered to applicants when brick or concrete block material is selected; for precast concrete there is one approach. The project approaches designate the project phases to be coordinated by the MSBU Program and are as follows:

- | | |
|--------------------------------|---|
| Brick or Block: | A: Demolition & Construction; |
| | B: Demolition, Pre-Paid Design & Construction |
| | C: Demolition, Design & Construction |
| Precast Concrete/Panel: | D: Demolition & Installation |

10 Basic Steps to Establish an MSBU

Basic Steps to Establish an MSBU
(Each of these steps is explained further on the following pages.)

STEP		RESPONSIBILITY
I.	Request Application Packet	Property Owners
II.	Pre-Application Meeting	MSBU Program Community Liaisons
III.	Complete & Submit Application	Community Liaisons
IV.	Review & Preliminary Engineering Report	MSBU Program Engineering Div./Consultant
V.	Poll Community – Petition Distribution	MSBU Program
VI.	Evaluate Petition Results and Determine Course of Action	MSBU Program Community Liaisons
VII.	Public Hearing – Adoption of Ordinance	Board of County Commissioners (BCC) MSBU Program Property Owners
VIII.	Implement Improvement	MSBU Program Public Works Department Consultant
IX.	Final Public Hearing Resolution to establish final assessments	Board of County Commissioners (BCC) MSBU Program Community Liaisons Property Owners
X.	Assessment Management	MSBU Program

Detailed Procedures

STEP I. Request Application Packet

Application for establishing an MSBU may be made by property owners, homeowner associations, management companies or other interested parties. Any noted application deadline and processing restriction is related to statutory provisions, the County Administrative Code and MSBU Program guidelines. Each MSBU project type has a distinct application form and application fee. Assistance is available from the MSBU Program should the applicant have questions or concerns regarding any aspect of the application form or process.

Requests for application should be directed to the MSBU Program:

On-Line: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>

Phone: (407) 665-7178

Office: 1301 East 2nd Street, Sanford, FL 32771-1468

When submitting an application request on-line, be certain to identify the geographic and descriptive location of the desired improvement (i.e., community, subdivision, or street) and the type of improvement proposed (i.e., water, sewer, sidewalk, wall reconstruction, road paving, drainage, etc).

STEP II. Pre-Application Conference

Applicant(s) for a wall reconstruction project must participate in a “Pre-Application Conference” with the MSBU Program staff to discuss the scope of service for their proposed project and to give definition to the process associated with establishing an MSBU for wall reconstruction. The MSBU Program staff will discuss the County’s program, the responsibilities of each party in the overall process and the County’s expectations for success. The applicant will receive an information packet detailing the process and expectations placed on the applicant and benefiting properties. This meeting will also provide the applicant with a basic checklist of items to help expedite the application process. Public Works/Engineering will be available to assist the MSBU Program staff and applicant regarding technical components of a proposed project. The conference can be conducted in person or via telephone with written follow-up documentation.

In advance of the pre-application conference, the applicant should have **[1]** a clear understanding of the type and design of wall they desire, **[2]** identified the project approach most suited to their circumstances, and **[3]** a general indication of the willingness of property owners to grant required easements and/or leasehold.

[1] Wall “type and design” includes such factors as the preferred (a) material, (b) color, (c) pattern, (d) size, (e) height, (f) location, (g) entrance features and (h) related design elements. A graphical representation (picture, sketch, rendering, cross-sections, etc.) of the wall will be necessary to give general definition to the scope of the project. To meet these preliminary requirements, the applicant may work with a wall contractor, landscape architect, engineer and/or

STEP II. Pre-Application Conference (continued)

architect. The scopes of service for wall reconstruction projects specifically exclude landscaping, irrigation and/or lighting. Any additional features of this nature must be privately funded and privately coordinated by the applicant or other community representatives.

[2] The project approaches designate the project phases to be coordinated by the MSBU Program and are as follows:

Brick or Block:

- A: Demolition & Construction
- B: Demolition, Pre-Paid Design & Construction
- C: Demolition, Design & Construction

Precast Concrete/Panel:

- D: Demolition & Installation

For brick or concrete block structures, the applicant must select one of the three project approaches offered - A, B or C. The distinction between each project approach [A, B or C] is relative to how the design/engineering activities and costs are addressed.

Approach A Demolition & Construction: Approach A is recommended by the MSBU Program and includes provisions for removal and disposal of an existing wall structure. Approach A provides a separation between Design aspects of the project and Construction. With this approach, the applicant contracts independently and directly with a design/engineering consultant. This provides the applicant the greatest flexibility regarding the selection of the design contractor and the scheduling of design development interactions. The procurement and expenditure of funds required for these services will be coordinated by the applicant and will be excluded from MSBU cost calculations. The demolition/removal phase and construction phase will be implemented by the County and only those costs related to preparing the site for construction and the actual construction of the new wall will be used to determine resulting benefits and assessments to real property. For Approach A (demolition/construction), sealed design/engineering plans should be submitted with application. At minimum, for Approach A, the MSBU Program will accept (at time of application) basic design preferences along with specific technical requirements that are sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process. The final/sealed design/engineering plans must be submitted prior to requesting Board consideration to establish the MSBU. For ease of project completion, and for the greatest control over project cost, Approach A is recommended.

Summary Approach A:

- Includes provisions for removal and disposal of an existing wall structure.
- Provides a separation between design activities and construction.
- Applicant contracts independently and directly with a design/engineering consultant
- Selection of contractor & procurement of services coordinated by the applicant
- Design costs are excluded from MSBU cost calculations
- Demolition/removal phase and construction phase will be implemented by the County

STEP II. Pre-Application Conference (continued)

- Design information submitted with the application must be sufficient to determine and/or confirm project cost estimates; sealed design plans are required prior to requesting Board consideration to establish the MSBU.

Approach B Demolition, Pre-Paid Design & Construction: When private funds are available for prepayment of design/engineering, and the desire is to include the expenditures in the MSBU cost structure, then Approach B is recommended. Approach B enables a smooth transition from design phase to construction phase during a public bid process. Selection of a design engineer must be coordinated through the County; and design costs must be prepaid by the applicant (and or other owners/investors) with the understanding that these expenditures are non-refundable, and the costs will only be assessed to benefiting property owners if the project is accepted and completed through the standard MSBU process. Specific provisions are available for crediting the prepayment to outstanding assessments following creation of MSBU and completion of project. Refer to Section 22:10 ([Section 22.10](#) [PDF](#) of MSBU Program Operating Guidelines) of the Seminole County Administrative Code for details. Although Approach B offers conditions for reimbursing prepaid expenses, and it offers a reasonable degree of control over project costs, it carries a greater risk to the investors as the chance of exceeding original cost estimates is great due to the potential time frame between application submission, completion of design work and public bidding for construction. For Approach B, basic design preferences along with specific technical requirements that are sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process are required with the application.

Summary Approach B:

- Design/Engineering expenses may be included in total project cost and cost allocations
- Enables a smooth transition from design phase to construction phase during a public bid process; enables bids to be presented according to the specific phase of the project – design phase and construction phase – which are typically bid by different vendor types
- Selection of a design engineer must be coordinated through the County
- Design costs must be prepaid by the applicant (and or other owners/investors) with the understanding that these expenditures are non-refundable
- Design costs will only be assessed to benefiting property owners if the project is accepted and completed through the standard MSBU process.
- Specific provisions are available for crediting the prepayment to outstanding assessments following creation of MSBU and completion of project. Refer to Section 22:10 ([Section 22.10](#) [PDF](#) of MSBU Program Operating Guidelines) of the Seminole County Administrative Code for details.
- Enables bids to be presented according to the specific phase of the project – design phase and construction phase – which are typically bid by different vendor types

STEP II. Pre-Application Conference (continued)

- Basic design preferences along with specific technical requirements that are sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process are required with the application.

Approach C Demolition, Design and Construction: When private funding is severely limited, Approach C is most suitable, as all costs are contained within the cost structure funded directly by the County. However, due to the nature of combining the various projects stages, Approach C tends to yield higher project cost. With this approach, the design/engineering phase will be combined with the construction phase for vendor selection purposes. Approach C may yield limited response from public bidders due to grouping design with construction, and may consequently elevate total project costs. For Approach C, basic design preferences along with specific technical requirements sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process are required with the application.

Summary Approach C:

- All related project costs are included in total project cost and cost allocations
- Requires single bidder to coordinate both design and construction.
- Tends to yield higher overall project costs due to uncertainty of design features/factors at time of bidding
- Basic design preferences along with specific technical requirements that are sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process are required with the application.

Approach D Demolition & Installation: For precast concrete panel structures, Approach D is designated and includes demolition and installation. Based on the nature of the product, a precast wall structure tends to be less detailed from a design/engineering perspective. Cost of design/engineering is included in the bid package for material and installation; therefore, in general, no advance preparation is required of the applicant, other than selecting material preference from a listing of available design options. For Approach D, basic design preferences along with product specific criteria that are sufficient to confirm cost estimate and to provide design communication necessitated by the Petition process are required with the application.

[3] Easements and/or leaseholds are required in association with wall reconstruction projects. Formal easements and/or leaseholds issued to the County are required for all land on which the existing wall is located and on which the newly constructed wall will be located. Voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is a separate consideration determined independent from the petition process (which requires only a 65% majority support). The current ownership status of the land on which the wall is built, whether owned by multiple individuals or singularly by an association will impact the degree of difficulty (to be anticipated by the applicant) regarding attaining the required agreement(s). If agreement/conveyance is not obtained from 100% of such owners, the project scope may require modification to accommodate any limitations caused by lack of required conveyances. Should any documents be unavailable, the continuance of the proposed project is dependent on revised project scope and its related

STEP II. Pre-Application Conference (continued)

requirements. Failure to obtain the required documents could lead to termination of the project. Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC

STEP III. Complete & Submit Application

Application may be made by property owners, homeowner associations, management companies or other interested parties. Each MSBU project type has a distinct application form and application fee. The application form is the last document in the packet. The application fee schedule is provided as noted in the table of contents. Assistance is available from the MSBU Program should the applicant have questions or concerns regarding any aspect of the application form or process.

Most fields to be completed on the application form are self-explanatory. The application form is designed to communicate and/or document the following:

- **Attachments:** Indicate by check mark each document attached. Note the attachments that are required and which are optional. If you have additional documentation that is not listed, describe it in "Other". A complete documentation package with an application results in more rapid application review.
- **Reason for requesting an MSBU:** Briefly explain the need for building a new wall and why the creation of an MSBU is the only alternative available for funding the replacement structure.
- **Location of project and current conditions:** Enter the subdivision name, parcel identification (ID) number for a parcel located in the vicinity of the wall, and the type, age, dimensions, and condition of the existing wall. Parcel ID is available from the MSBU Program or from the Property Appraiser (407-665-7506 or www.scpafl.org/scpaweb05/index.jsp).
- **Community Involvement:** Provide response to the questions listed in this section.
- **Alternative Funding Sources:** Provide response to the questions listed in this section.
- **Ownership Status of Existing Structure & Maintenance Provisions:** Provide response to the questions listed in this section.
- **Scope of Service:** Clarify the desired scope of service by placing check mark in all appropriate boxes. For brick and concrete block walls, a detail summary and diagram of the new structure is required as an attachment to the application. At minimum, the technical description must include:

STEP III. Complete & Submit Application (continued)

- For concrete panel walls, be certain to attach product and design preferences. Be certain to review each available project approach and identify which approach is best suited to the resources/needs of the community.
- For brick or concrete block choose Approach A, B or C.
- **Probable Cost of New Wall Cost Estimate:** Enter required information and provide (attach) formal cost estimate from professional wall contractor or construction engineer.
- **Liaison & Applicant Information:** Enter information for Liaisons and applicant. Identifying and including information for a secondary Liaison is advised and encouraged.

Describing the desired scope of services in detail is critical to development of an initial review of a proposed MSBU, engineering plan, and subsequent cost estimates. Community participation in development of scope of services is highly encouraged. A preliminary engineering report and application details will be primary factors for determining final recommendations for a proposed project. When preparing a subdivision map for submittal, be certain to identify geographic and descriptive locations of desired improvements and type of improvement proposed. Each wall reconstruction project should be drawn in with beginning and ending points clearly marked. Copies of recorded plats and section maps may be obtained from the Planning Department, on the first floor of the County Services Building. For additional information please call the Planning Department at (407) 665-7441.

The creation of an MSBU relies heavily on involvement of **community liaisons**. Liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visits, encouraging petition response, and other project activities. The community representatives that serve as primary and/or secondary liaisons are very important to establishing an MSBU and ensuring project completion occurs per community expectations.

All questions or concerns regarding cost sharing decisions, and participating properties should be discussed with the MSBU Program prior to submitting application. MSBU boundaries (geographic area) to be assessed; represented by listing of parcels) must be continuous. Enclaves are not allowed if their purpose is to remove a parcel(s) because the property owner is not in favor of establishment of the MSBU. The assessment boundaries are based on benefit received and do not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed improvement.

When complete, the application should be submitted to the MSBU Program. Mailing and/or delivery location is noted on the application form. **The nonrefundable application fee (per the application fee schedule) must be made payable to “BCC Seminole County” and submitted with the application.** Although the fee is non-refundable, provisions for the crediting of the application fee back to the applicant who paid the fee are found in the Seminole County Administrative Code (http://www.seminolecountyfl.gov/ca/admin_code/) as follows:

STEP III. Complete & Submit Application (continued)

“The application fee shall be credited towards the assessment assigned to the applicant’s benefiting property....if the requested MSBU is established by the Board, the requested improvement is completed, and assessments are collected from the benefiting property owners.”

STEP IV. Review Application & Conduct Project Analysis

After receipt, the MSBU Program will confirm the application is complete and sufficient to evaluate feasibility of a requested improvement. The MSBU Program will validate properties that serve to benefit from the improvement and will formulate a boundary description for the geographic area associated with the proposed MSBU. The application will be copied to appropriate departments for review and evaluation.

Many project types authorized for MSBU consideration require analysis and cost estimating acquired from contracted vendors. Applicant (or other property owners) must prepay preliminary analysis costs. If walls are reconstructed, property owners who contributed to a preliminary engineering or design activities will be given credit against their assessment (share of final total costs). If improvements are not constructed, contributions will not be refunded.

If an applicant has an existing engineering/design, it will be reviewed by the MSBU Program for suitability of use. If the provided information is insufficient to formulate the required cost analysis, the applicant will be notified by the MSBU Program of the deficiency and need for additional information. A cost estimate will be provided for obtaining the detail level required to address the proposed project.

The MSBU Program staff is available to conduct an informative meeting with property owners to discuss the MSBU process. Notification of any **County-sponsored** meetings is coordinated through the MSBU Program. A public meeting for overview of the MSBU Program and proposed project is highly recommended. The MSBU Program requests opportunity to review (prior to circulation) any correspondence relating to establishment of an MSBU.

STEP V. Poll Community - Petition Distribution

The Administrative Code (22:10.5) (http://www.seminolecountyfl.gov/ca/admin_code/) requires formal confirmation that the level of community support for a construction MSBU is at least 65%. A “Petition for Improvement” document, prepared by the MSBU Program, is used as a formal mechanism for determining the level of community support for establishing a wall reconstruction MSBU. The petition document defines details of the proposed MSBU such as: construction costs; assessment calculation; other details specific to the MSBU; and provides for property owner response relative to creating an MSBU.

Individual petition documents are mailed to property owners by the MSBU Program, and reprints may be distributed by the MSBU Program to the applicant or community liaisons for follow-up with property owners. Owners are requested to respond by 1) designating a “For” or “Against” response on the petition document; (2) providing owner signature; and (3) returning the completed form to the MSBU Program office prior to the stated deadline. All current owners or the designated trustee of a parcel must sign the petition form for the response to counted.

STEP V. Poll Community - Petition Distribution (continued)

Property owner response for those properties that do not return the petition document will be counted as “Against” when calculating the level of community support. Petition documents are typically in circulation for a 30 day timeframe. The deadline for submitting response is noted on the document. The deadline, however, may be extended if requested by the applicant/liaisons, approved by the MSBU Program, and posted to the MSBU Program website prior to expiration of the current deadline. Up to two extensions, each limited to 2 additional weeks, are typically granted. Extensions are primarily granted to provide clarity regarding the level of community support. Petition response will be tracked and available for summary or review throughout the petitioning period.

Please note: Wall reconstruction projects require the conveyance of special easements and/or leaseholds to meet public ownership criteria have additional considerations. Voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is a separate consideration determined independent from the petition process (which requires only a majority support). If agreement/conveyance is not obtained from 100% of such owners, the project scope may require modification to accommodate limited status, and/or project rejection. Continuance of the proposed project is dependent on revised project scope and its related requirements.

STEP VI. Evaluate Petition Results & Determine Course of Action

Petition documents received by the MSBU Program are reviewed for acceptability. Owner response must be clearly identified and consistent with intent of petition document. All current owners of a parcel or a designated trustee must sign a petition for a favorable response to count towards the 65% support requirement. Handwritten or other commentary added to petition document that alter intent of information conveyed in a petition document will be rejected and returned to owner of record. Incomplete petition documents will be rejected and returned. An explanatory memo is provided with returned petition documents. An owner has opportunity to complete and resubmit a returned petition response. Submittal deadlines apply to rejected petition documents.

The results of the petition process will be posted to the MSBU Program website. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If petition support is less than 65%, the effort will be noted as insufficient support. If support is deemed insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

Provided the community support is sufficient to continue, the MSBU Program will request BCC authorization to conduct a public hearing for adopting an ordinance establishing the proposed MSBU. **Please note** that once the consolidated petition results are accepted and a public hearing is authorized, the petition is no longer relevant to the final determination of the BCC to proceed (or not) with the project/MSBU. The final determination of the scope and feasibility of the project and the creation of the MSBU is made by the Seminole County BCC. Re-petitioning is permitted once per calendar year and no more frequently than once every six months following submittal of a new application and non-refundable processing fee.

STEP VII. Public Hearing - Adoption of Ordinance

When the proposed Ordinance and all documents are in order (including easement/leasehold, etc., agreements) and a public hearing date is scheduled. Legal Notice(s) will be published in a local newspaper. Notification of the public hearing will be mailed to the owner of record for all properties included in the boundary of the proposed MSBU. A copy of the proposed ordinance will be available for review at the Commission Records office located in the County Services Building at 1101 East 1st Street, Sanford, FL. For construction MSBU projects, such as wall reconstruction, designed as a one-time improvement with a fixed financing term, an estimated assessment rate is identified in the governing ordinance.

The Ordinance will be proposed for adoption during the public hearing. Once the petition results are presented to the BCC at a public hearing, the consolidated petition is no longer relevant to the final determination by the BCC to proceed (or not proceed) with the requested MSBU. The final determination of the scope and feasibility of a new project will be determined by the BCC. During the public hearing, the BCC may consider any comments, objections, and information relevant to the establishment of the MSBU. The BCC will adopt or deny the Ordinance. If the Ordinance is adopted, it will be recorded in Seminole County Land Records and with the Florida Department of Revenue. A lien will be filed against each assessed property in the amount of the estimated per parcel assessment.

STEP VIII. Implement Service/Improvement

Following the creation of an MSBU, the MSBU Program will work closely with supporting Divisions and the County's Purchasing & Contract Division to secure contracted services for the required improvements. All reasonable effort will be made to secure a contracted service provider within the targeted range of assessment funding. Once a suitable contract with a qualified vendor(s) has been assigned, the project work will commence. The MSBU Program and the supporting Division will be in close contact with the community liaisons and the vendor as the project work is completed.

Any cost increase that yields a total project cost above the provisions stated in the governing ordinance will be communicated to the participating property owners. If the projected procurement cost exceeds the authorized parameters, a secondary petition will be necessitated to confirm continued support of the property owners. Unless otherwise required by ordinance, a 65% support majority to the second petition will be sufficient to continue with the project. If continued support is not demonstrated through the petition process, and no other alternatives are available within the project parameters, the MSBU will be dissolved.

STEP IX. Final Public Hearing – Assessment Rate Resolution

For MSBU projects, such wall reconstructions that are designed as a one-time improvement with a fixed financing term an estimated assessment rate is identified in the governing ordinance. When these projects are completed, and actual costs have been calculated, a second public hearing is held to review the results of the project and to establish the final rate for assessment. The public hearing will be advertised and notification will be mailed to the owner of record for

STEP IX. Final Public Hearing – Assessment Rate Resolution (continued)

each property included in the boundaries of the MSBU. Once adopted by the BCC, the Resolution or Amending Ordinance will be recorded in Seminole County Land Records.

The initial installment payment of the assessment will be scheduled for inclusion on the first available property tax bill following this final public hearing. As an alternative to financing the assessment, owners may pay their assessment in full within 30 days of the final public hearing to avoid financing charges. A satisfaction of lien document is processed when a fixed term assessment is paid in full. Please see STEP X. for further information regarding the satisfaction of lien process.

STEP X. Assessment Management

Assessments are equitably allocated to all benefiting parcel owners as defined in the governing ordinance. Beginning with the first available tax year, annual installment allocations of the fixed term assessment will be levied by the BCC, placed on the property tax bill and collected through the Tax Collector of Seminole County in the same manner as all other county property taxes and assessments. Assessment for projects that involve fixed term financing will be included on the property tax bill for the first available tax roll following project completion. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

An open assessment is considered as a lien against a property. A lien associated with a fixed term assessment, such wall construction is satisfied when the outstanding assessment is paid in full. Assessments for fixed term projects may be paid in full at any time following final rate resolution. A satisfaction of lien document is processed when a fixed term assessment is paid in full. For additional details regarding the satisfaction of lien process, please contact the MSBU Program.

Frequently Asked Questions



Where do I obtain detailed information? To obtain detailed information, please contact the Seminole County MSBU Program at 1301 E. 2nd St., Sanford, FL 32771 or go on-line to <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp> or call 407-665-7178. To access a complete list of all available frequently asked questions on-line please go to: <http://www.seminolecountyfl.gov/fs/msbu/msbufaq.asp>.

What do the letters MSBU represent? Municipal Services Benefit Unit. An MSBU is an assessment district authorized by Florida Statute 125.01 to provide funding for improvements and/or services benefiting a specific group of properties. Please see: (http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=C_h0125/SEC01.HTM&Title=->2005->Ch0125->Section%2001).

What type of property is eligible to participate in an MSBU? Eligibility to participate in an MSBU varies per project type. However, unless otherwise agreed, property must be located within the taxing district of unincorporated Seminole County. Most Seminole County MSBUs are associated with residential properties; however, certain commercial areas may also qualify. Specific to aquatic weed control and lake restoration, lakefront properties are the primary properties included in the assessable boundaries of an MSBU; secondary properties may include properties with use rights to common land located on the benefited lakefront. Inclusion of property is not dependent on use of land, occupancy or site development.

My subdivision is located within city limits. Can Seminole County still help me and my neighbors benefit from an MSBU with Seminole County, such as street lighting, water/sewer, etc. Florida Statutes specify that any neighborhood improvement made through the MSBU Program must be for properties located outside of municipality (city) boundaries only. Please contact your city government office to request neighborhood improvements to your subdivision.

What is the procedure to start the MSBU process? Steps are detailed in an “MSBU Application Packet” available from the MSBU Program at (407) 665-7178. Basic steps include: (1) Application, (2) Project analysis & preparation of cost estimate, (3) Petitioning to determine community support level, (4) Establishing the governing Ordinance, (5) Project implementation, and (6) Assessment.

What is the role of the community liaisons and how are they selected? The liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visitations, encouraging petition response, and other project support activities. Primary and/or secondary liaisons are very important to establishing an MSBU and to ensuring project completion occurs per community expectations. Community liaisons are identified at the time of application.

Is someone available to attend an HOA meeting to discuss the process or the projects? Yes. The MSBU Program offers a variety of public presentations through the Seminole County Government Speaker Bureau. To request attendance at a meeting, simply go to the [Speaker Bureau](#) webpage and select the type of presentation and date that is of interest to you. You may also [email](#) or call the MSBU Program at (407) 665-7178 for additional details.

Frequently Asked Questions (continued)



How does the MSBU Program determine the level of community support for establishing an MSBU? After an application is received, reviewed and accepted by the MSBU Program, the MSBU Program will create a petition for improvement document. The petition contains details of the proposed project and MSBU. Provisions on the petition allow owners to indicate whether they are in support of or against creating the proposed MSBU. An owner identifies their preference, signs and returns the document to the MSBU Program or to designated community liaison(s). Level of support is determined by the MSBU Program according to responses indicated on returned petition documents. Petition documents not returned to the MSBU Program are tallied as an against response.

How does the petition get distributed? The MSBU Program will mail the petition document to the owner of record for each benefiting parcel identified for inclusion in the MSBU boundaries. The petition document is to be reviewed and signed by the property owner(s). Community liaisons are also given reprints of the petition documents for use in follow-up contact with property owners.

Can I change my response after it has been submitted? A petition document should be submitted after the owner has evaluated the project proposal and determined their response. The owner, however, may submit a replacement petition providing it is received by the MSBU Program within the submittal deadline for the petition process. No petitions will be accepted after the deadline has passed. Petitions may not be withdrawn after the response deadline has expired.

Can the petition deadline be adjusted? The petition deadline is monitored/controlled by the MSBU Program. Petition documents are typically in distribution for a 30-day period. Extension is granted when community support is uncertain due to non-returned petitions. Deadline and provisions for extension will be noted on the petition document. Deadline may be extended according to noted provisions. Up to 2 extensions, each limited to 2 additional weeks are typically granted. Deadline extension must be requested by the applicant/liaison and approved by the MSBU Program prior to expiration of the existing deadline. Deadline extensions will be posted to MSBU Program website.

What level of support is required? A 65% majority of affected benefiting parcel property owners must indicate their support for establishing the proposed MSBU for all project types excluding street lighting; street lighting requires a 55% majority.

Will the results of the petition be communicated? The results will be posted to the MSBU Program website at <http://www.seminolecountyfl.gov/msbu/msbudistrict.asp>. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the next steps in the process of creating the MSBU. If support is insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

When will a public hearing be held and who may attend? A public hearing is scheduled after petition documents and/or any other documentation is returned to and certified by the MSBU Program to have attained an acceptable "For" response rate. Notice of public hearing will be mailed to owners of record for properties included in the boundaries of a proposed MSBU. Notice will be published in a local newspaper. Any member of the public may attend a public hearing.

Frequently Asked Questions (continued)



Do the property owners opposing the MSBU get assessed if the MSBU is created? In most circumstances, all properties (whether “For” or “Against” during the petition improvement process) are assessed equitably for the cost of providing the improvement. In the case of water and/or sewer line extension projects, only the property owners agreeing to participation will be assessed. In these circumstances, non-participating parcels are denied connection eligibility to the resulting water/sewer service lines. With water service line projects, installation of fire flow & fire hydrants are mandatory. In such situations, all parcels share in the expense of the fire flow system; while water service costs participation remain optional. The governing ordinance will include a listing of the participating properties and the respective improvement for which the property will be assessed. Once the ordinance is adopted by the BCC, participation in the cost share becomes mandatory as per the directives of the ordinance. Ordinances are posted online at <http://www.seminolecountyfl.gov/msbu/msbudistrict2.asp>.

May the MSBU be terminated at a future date? The process to dissolve an established MSBU is similar to the creation process - application, petitioning, 65% majority support, a public hearing, and BCC authorization. MSBUs that receive supplemental financial support from county funding may have additional restrictions that mandate the minimum duration of existence for the MSBU. If/when an MSBU is dissolved; the participating parcels will be assessed for closure costs, contractual obligations, and/or other unpaid expenses. Typically, fixed term MSBUs are not terminated once a contract has been awarded through the public bidding process.

When do I start paying the assessment? The assessments for on-going project improvements/services (street lighting, aquatic weed control and solid waste) subject to annual rate variation will be included on the property tax bill in the first available tax year following creation of the MSBU. Assessment for projects that involve fixed term financing (construction and lake restoration projects) will be included on the property tax bill for the first available tax roll following project completion. Additional information for the different improvement and service project types may be found at <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp>. Assessments for fixed term projects may be paid in full at any time following final rate resolution. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

I received a Non-Ad Valorem Assessment Notice in the mail. What is this? The Notice is provided in advance of the Property Tax bill and provides communication of the special assessments ([Non-Ad Valorem assessment](#)) for new MSBUs that will be included on the property tax bill, for the first time, in November. The notice also provides details regarding the scheduling of a Public Hearing (August) during which the Board of County Commissioners will receive public commentary regarding the proposed assessments and will make final approval for the non-ad valorem assessments to be included on the forthcoming Property Tax bills.

On the Non-Ad Valorem Assessment Notice it states: “This is not a bill”. When and how will the charges be billed? How is the assessment paid? The [Non-Ad Valorem assessment\(s\)](#) will be included on the property tax bill distributed in early November. Payment of these assessments is required at the time property taxes are paid and in the same manner as property tax payments. When you pay your property taxes, your assessments are also paid.

Frequently Asked Questions (continued)



Since there is a lien on my property, when and how is the lien satisfied? May I receive a copy of the satisfaction of lien? The lien for variable rate MSBUs, such as street lighting and aquatic weed control is satisfied annually when the property tax bill is paid. A lien associated with a fixed term assessment is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is processed when a fixed term assessment is paid in full; a lien satisfaction document is not required or processed when variable rate assessment is paid. For additional information regarding satisfaction of lien process or pay-off balance or to obtain a copy of the satisfaction of lien, please contact the MSBU Program at (407) 665-7178 or on-line at: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>.

If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller? An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, some mortgage companies may require lien satisfaction in order to finance or refinance the property. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller. If an assessment balance is to be paid at the time of the sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

We have deteriorated existing walls that need replacing. Can we request an MSBU for these types of upgrades for walls? Yes, if the stated criteria is met. The MSBU establishment process for walls is designed for reconstruction of deteriorated walls.

We have an existing deteriorating wooden or metal fence around our subdivision. Can we request an MSBU to have this fence replaced with a wall? No. An MSBU may not be used for fence reconstruction nor may a deteriorated wall be replaced with wooden or metal fence via the MSBU Program. Only deteriorated brick, block or precast concrete walls may be reconstructed.

Our Homeowners Association (HOA) does not want to assist in replacement of our deteriorating wall. May we request an MSBU to assist us? An MSBU for walls may only be requested if there is no other legal means to enforce collection of an assessment for the wall's reconstruction or replacement. If your HOA is active and enforces mandatory collection of HOA assessments, it is very likely that your wall will not meet the MSBU reconstruction requirements.

What types of wall are available as an MSBU project? A new wall structure constructed through the MSBU Program may be engineered with brick, concrete block or pre-cast concrete panels.

May we request a wall to be constructed even though there is no existing wall now? No. Only reconstruction of existing deteriorating wall may be given consideration as a potential MSBU project.

Frequently Asked Questions (continued)



What is the criterion for a wall to be considered for a reconstruction improvement? The Municipal Service Benefit Unit Program is authorized to accept and process applications for wall reconstruction through non-ad valorem assessment providing the following application criteria are met:

- Existence of a damaged, destroyed, and/or deteriorating community **wall**
- Community has no means to levy/enforce a private assessment for wall;
- Requires 100% of wall abutting owner-signed Letter(s) of Intent for temporary easement/leasehold to be granted to the County;
- Reconstruction material requested is brick, block/stucco, or precast concrete;
- Applicant [1] will provide sealed design/engineering plans suitable for public bid/procurement, [2] will substantiate ability to fund preliminary engineering, or [3] requests precast concrete construction that does not require design/engineering
- The property to be benefited by the improvement is located within the unincorporated area of Seminole County;
- The proposed boundary (properties to be included) includes a minimum of two distinct assessable parcels

How large an easement must be available for construction activities? The Preliminary Engineering Study will define the required easement area of the abutting parcels. However, the minimum width to be anticipated is ten (10) feet. All easement areas are required to be cleared of any and all obstructions prior to the commencement of construction activities.

Who pays for title searches and other fees associated with granting temporary easements or leaseholds for construction activities? Parcel owners within the boundaries of the requested wall reconstruction MSBU bear all expenses associated with the granting of easements.

What is the first step to begin the reconstruction process of a wall after an MSBU is approved and established? The first step is to have a set of engineering plans designed to meet governmental standards. Plans must be professionally engineered and certified.

Will a wall MSBU include provision for landscaping and irrigation (and their maintenance)? No. Landscaping, irrigation, electrical service and/or lighting are specifically excluded from the service scope for wall reconstruction projects. Any additional features of this nature must be privately funded and privately coordinated by the applicant or other community representatives.

Frequently Asked Questions (continued)



What types of activities might I expect during the construction phase? After the site is cleared of all debris, a backhoe may be used to drill foundations. Dependent upon the material selected for the wall, a crane may be used to set posts and/or panels. For areas with minimal clearance or access at the construction site, a portion of the road may need to be closed. Damage to surrounding area, such as sidewalks, may occur. Any repair or replacement of the sidewalk would be considered the responsibility of the contractor, however, the risk of incurring these costs is often considered when bidding the project.

If a wall, road, water line, sewer line, or drainage improvement or other construction funded through an MSBU is in need of repair after completion, who is responsible for those costs? Seminole County has no responsibility for wall maintenance or repair after reconstruction completion; the community is responsible for maintenance and repairs. If the MSBU is a road paving and drainage or a sidewalk MSBU, maintenance will comply with the Seminole County Road Maintenance and Construction Policies. Many variables exist in the Road Maintenance and Construction Policies.

Since I do not live along the wall, will I be assessed the same amount as parcel owners who live along the wall? No. Wall abutting parcel owners will be assessed 1.25 benefit units while interior parcel owners will be assessed 1.0 benefit unit. The additional .25 benefit unit reflects the additional noise attenuation and glare abatement benefits afforded to the wall abutting parcels.

May I pay off my construction assessment at any time during the payoff period? Construction costs that are financed through the MSBU Program may be paid according to the annual assessment billing cycle (property tax bill) or in full at any time. Please [email](#) or call the MSBU Program at (407) 665-7178 for assessment payoff details. For additional information regarding the purchase or sale of a home subject to non-ad valorem assessments, please visit the MSBU Program [Property Sale Information](#) page.

If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller? An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, some mortgage companies may require lien satisfaction in order to finance or refinance the property. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller. If an assessment balance is to be paid at the time of the sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

Application Fee Schedule

(Excerpt from Seminole County Administrative Code 20.37)



Aquatic Weed Control¹

\$ 550.00	Application Fee - Impaired/Corrective Services
\$ 450.00	Application Fee - Maintenance of existing conditions/under contract

Lake Restoration¹ or Retention Pond Renovation¹

\$ 550.00	Application Fee - Impaired/Corrective Services
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Road Paving & Drainage²

\$ 650.00	Application Fee - Rough cost estimate and coordination of preliminary engineering
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Street Lighting

\$ 150.00	Application Fee - MSBU request involving single support source
\$ 150.00	Application Fee - MSBU request involving of 25 or fewer properties.
\$ 250.00	Application Fee - MSBU request involving greater than 25 properties.
\$ 150.00	Application Fee - Upgrade request involving 25 or fewer properties.
\$ 250.00	Application Fee - Upgrade request involving greater than 25 properties.

Wall Reconstruction

\$ 550.00	Application Fee - Single easement ownership; Construction Only
\$ 750.00	Application Fee - Multiple easement ownership; Construction Only
\$1,000.00	Application Fee - Single easement ownership; Pre-Paid Design plus Construction
\$1,250.00	Application Fee - Multiple easement ownership; Pre-Paid Design plus Construction

Water and/or Sewer²

\$ 550.00	Application Fee - Water or Sewer
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Sidewalks²

\$ 450.00	Application Fee Proposed – New construction or repair/replacement
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Dissolution Application

\$ 150.00 ⁴	Application Fee - Distribution of Petition
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All Project Types - Reactivation & Redistribution of Petition

\$ 150.00 ⁴	Application Fee – Reactivation & Redistribution of Petition
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- 1 The MSBU application review process may require project analysis involving consultant services to determine scope of services and feasibility of success. The need for analysis will be determined prior to application and a price quote for analysis fee will be obtained at time of application. Prepayment for analysis costs will be due from applicant prior to scheduling the analysis related activities.
- 2 The MSBU application process requires a preliminary engineering report. A price quote for preliminary engineering will be obtained at time of application. Prepayment for the preliminary engineering report will be due from applicant prior to scheduling report related activities.
- 3 Application fee includes preparation of leasehold/easement legal documents required in conjunction with application process.
- 4 In addition to the stated application fee, the applicant will be required to provide prepayment for the mailing expenses associated with secondary distribution of a petition for same or similar project.

Wall Construction Cost Considerations



Generally, a smaller project has a higher linear foot cost; a larger project has a lower linear foot cost. Project wall costs are subject to variable site conditions, jurisdictional agencies' requirements and current labor/material prices when a project is bid for construction.

There are three types of material available for wall reconstruction: (1) concrete block, (2) brick, and (3) precast concrete. Both solid brick and concrete block walls have considerable design and engineering requirements (such as continuous footers) that are dependent on site conditions and preferences of the community. The design and engineering requirements for precast concrete is less extensive and is assigned to the contractor selected for ordering, manufacturing and/or installing the precast wall materials.

Type of Wall	Height of Wall	Estimated Minimum Price Range*
Concrete Block*	Six (6) Feet	\$125.00 to \$200.00 per linear foot
Solid Brick Wall	Six (6) Feet	\$250.00 to \$300.00 per linear foot
Basic Precast Concrete	Six (6) Feet	\$70.00 to \$90.00 per linear foot
Precast Concrete with Brick Inlay	Six (6) Feet	\$125.00 to \$145.00 per linear foot
Precast Concrete with Brick Inlay	Eight (8) Feet	\$185.00 to \$205.00 per linear foot

*Concrete block and concrete fill pricing can fluctuate dramatically. Various types of concrete block exist, but not are all suitable for every site. Stucco adds additional cost.

In addition to the above basic material cost estimates, the total cost of a wall reconstruction project may include construction design, maintenance, and miscellaneous expenses. Site conditions are project specific and can vary significantly. Some of the additional costs listed below are not applicable to every project. Additional cost factors to consider:

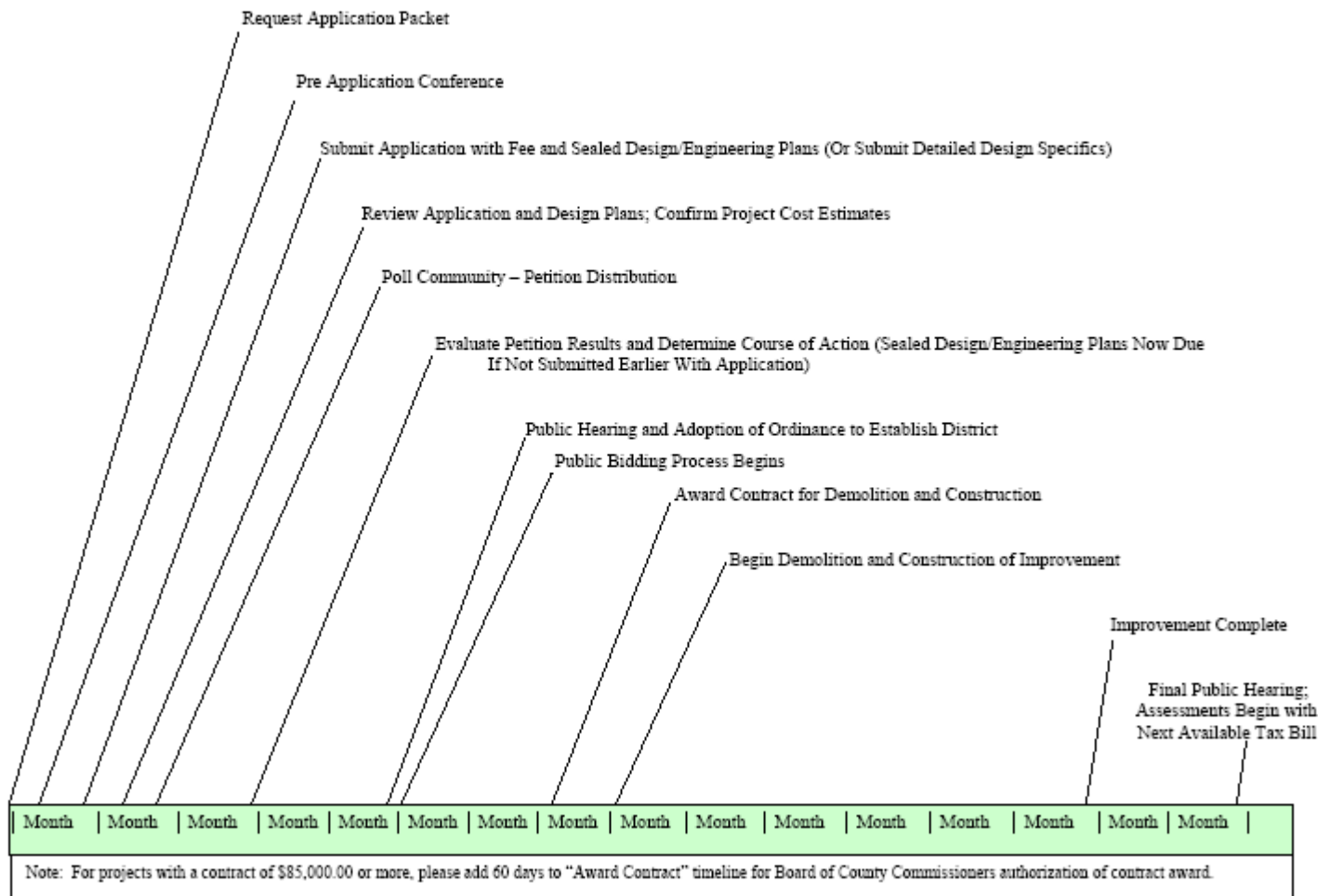
- Administrative and Permitting Fees
- Interest Expenditures
- Documentation preparation for drainage easements and temporary construction easements
- Geotechnical services
- Permit application fees of applicable jurisdictional agencies
- Extensive excavation
- Additional fill
- Right-of-Way costs for wall improvements appraisals, survey fees, title searches, acquisition fees, etc.
- Engineering inspection
- Utility Relocation Costs
- Existing structure demolition
- Requirements/negotiations relative to existing landscaping or other features located in easement area

MSBU Construction Timeline Scenarios

APPROACHES “A”, “B”, “C”, AND “D”

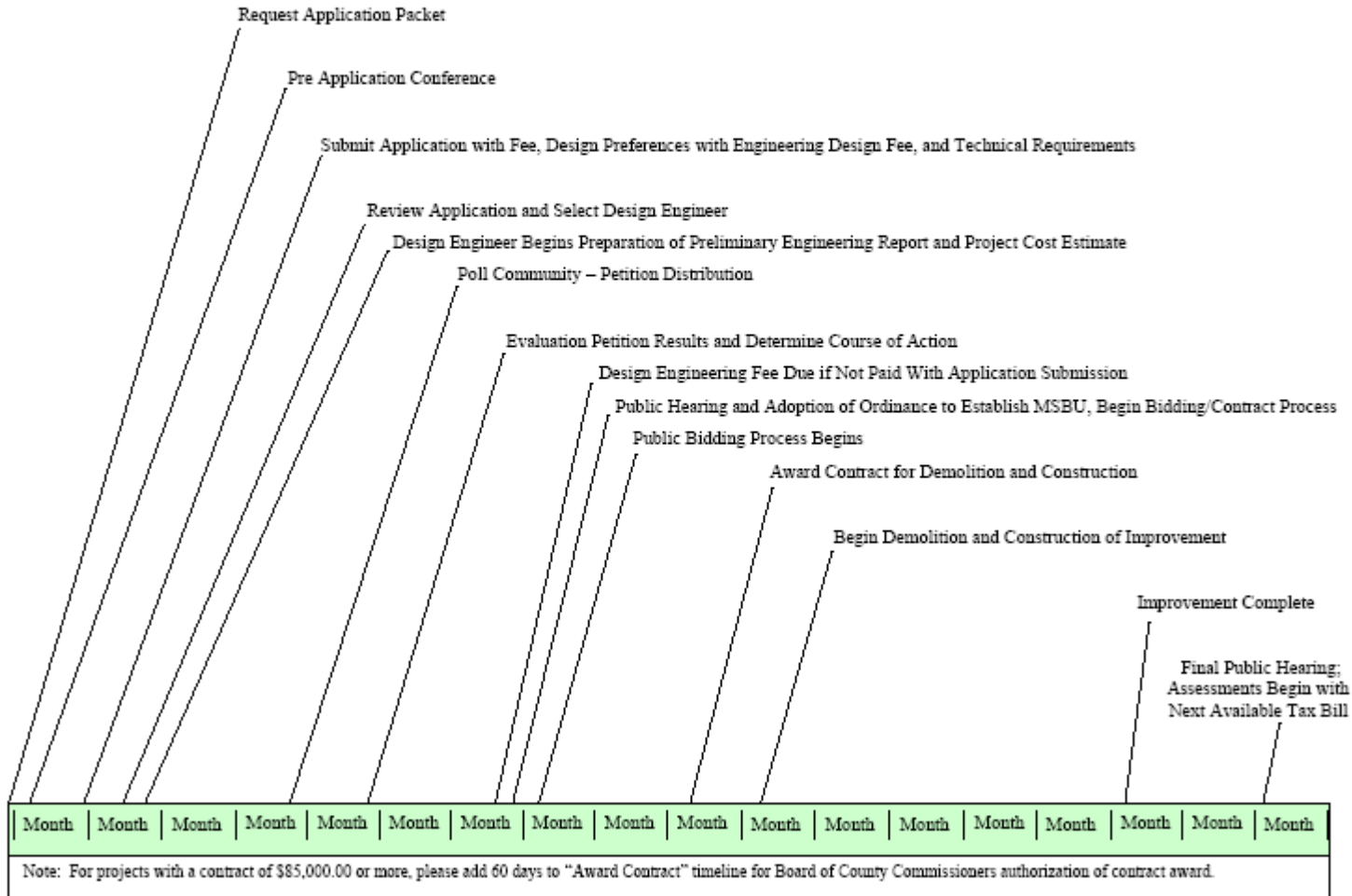
ESTIMATED MSBU CONSTRUCTION TIMELINE

"A" Approach – Brick or Block (Demolition and Construction)



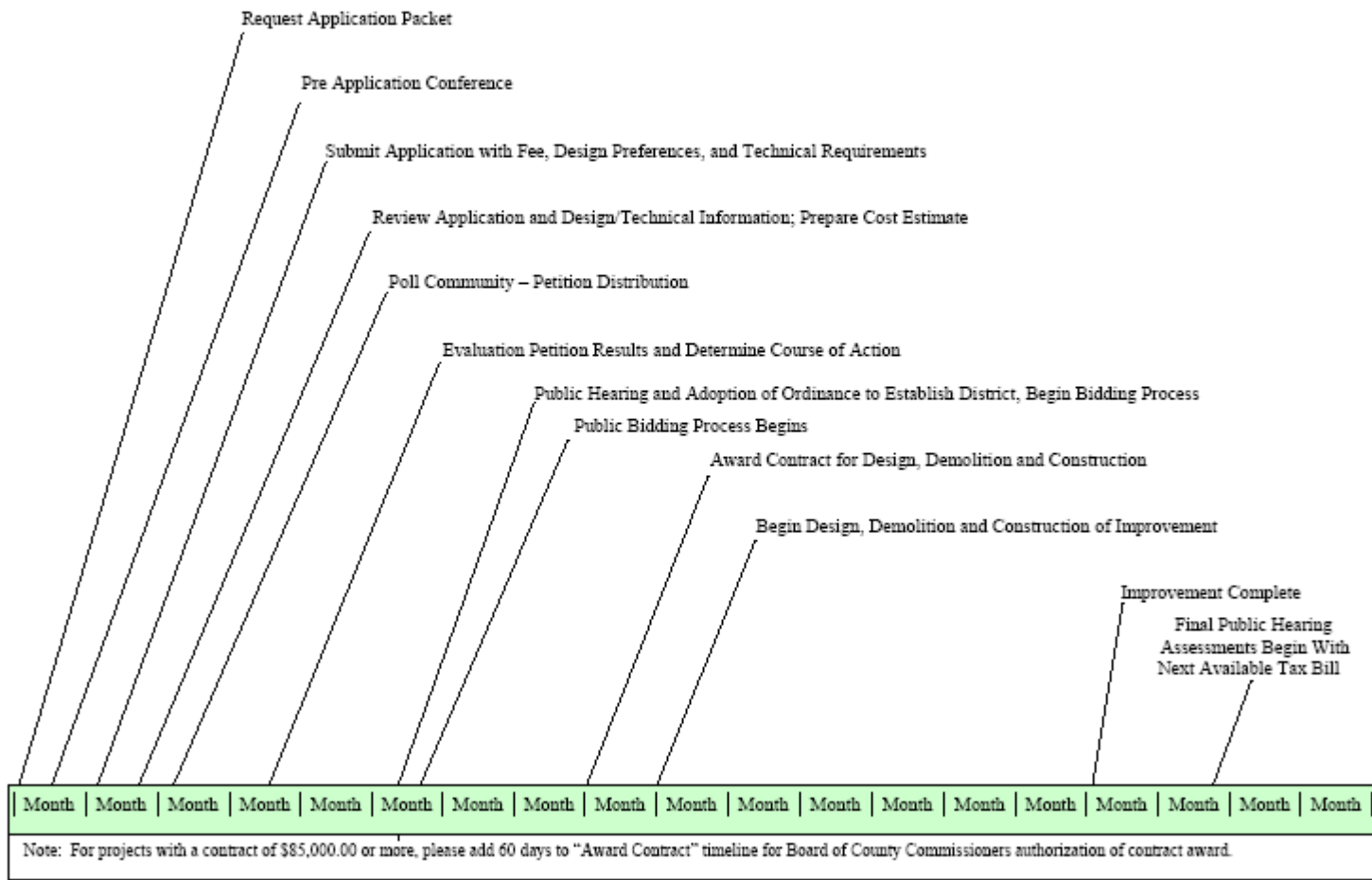
ESTIMATED MSBU CONSTRUCTION TIMELINE

“B” Approach – Brick or Block (Demolition, Pre-Paid Design & Construction)



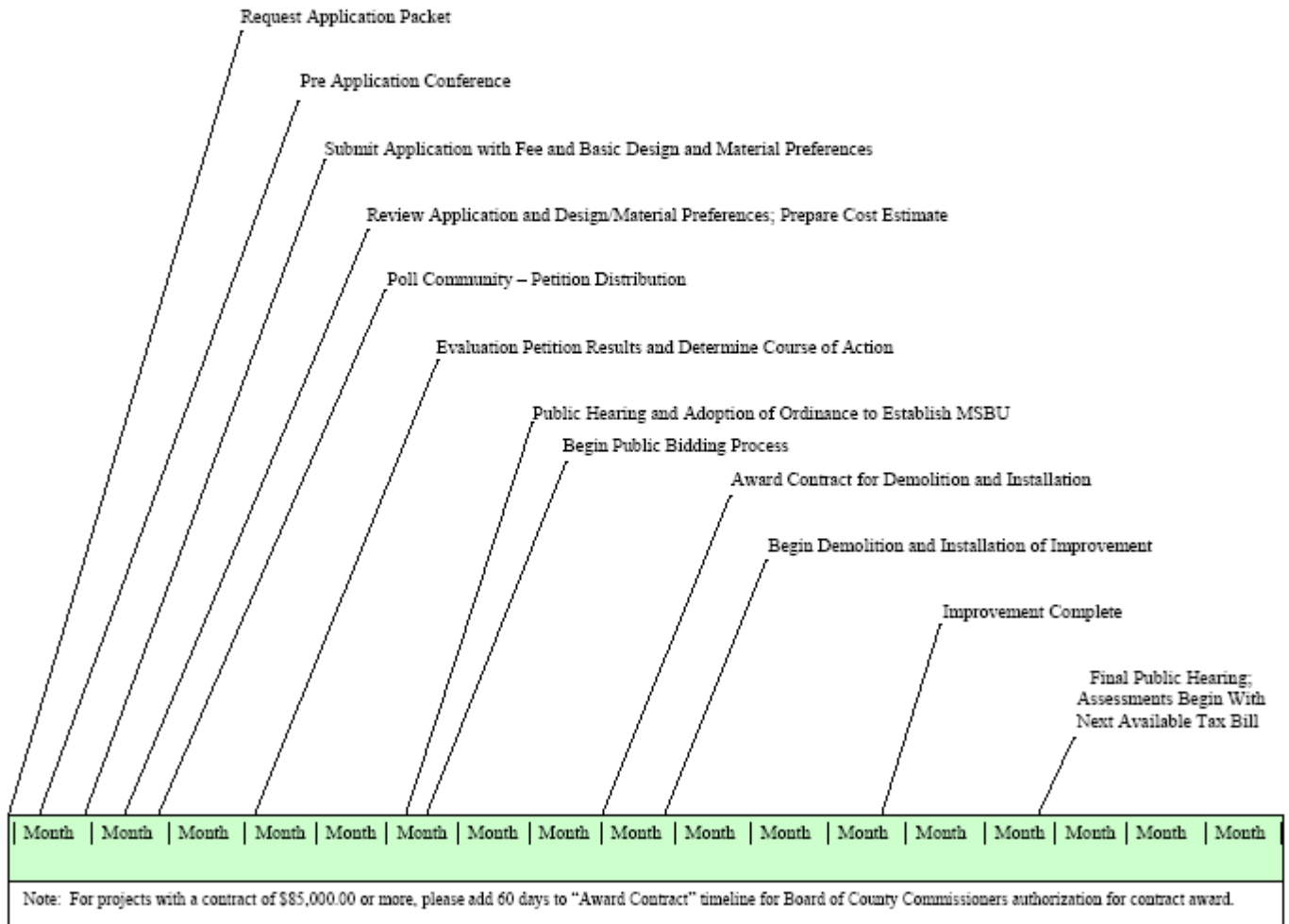
MSBU CONSTRUCTION TIMELINE

“C” Approach – Brick or Block (Demolition, Design & Construction)



ESTIMATED MSBU CONSTRUCTION TIMELINE

“D” APPROACH – Pre Cast Concrete Panel (Demolition & Installation)





MSBU Estimated Potential Construction Cost Matrix

Sample Repayment Schedule

For Construction Improvements

TOTAL ASSESSMENT PER PARCEL	EXAMPLE INTEREST RATE	TERMS OF REPAYMENT	ANNUAL PAYMENT PER PARCEL
\$2,500.00	6%	8 Years	\$402.59
\$2,000.00	6%	6 Years	\$406.73
\$1,500.00	6%	4 Years	\$432.89
\$1,000.00	6%	4 Years	\$281.82
\$500.00	6%	2 Years	\$272.72

<\$300.00 typically not financed

MSBU Glossary



ADMINISTRATIVE FEE	The reimbursement of costs including, but not limited to, costs associated with personnel, forms, supplies, data processing, computer equipment, postage, pro rata insurance premiums, and programming.
ASSESSMENT	A fixed value or dollar amount to be charged for special services or constructed improvements.
ASSESSMENT BASE	Unit of measure on which non-ad valorem assessment is calculated (per lot, per home site, per front foot, per acre, etc.)
ASSESSMENT ROLL	Formal record adopted by the Board of County Commissioners at a public hearing that provides a complete listing the non-ad valorem assessments levied and assigned to specific property. Roll is certified to the County Tax Collector for inclusion on and collection via the annual property tax bills.
AD VALOREM TAX	Property taxes levied on the assessed value of real property.
AQUATIC WEED	A noxious aquatic plant with potential to hinder the growth of beneficial plants or to interfere with irrigation or navigation or to adversely affect the public welfare or natural resources of the state.
AQUATIC WEED CONTROL	Controlling or managing invasive plant species through chemical, biological or mechanical means; often includes shoreline replanting with native plant species.
BENEFIT	An advantage, improvement or assistance gained from association with service or improvement.
BENEFIT UNIT	Refer to “assessment base”.
BID	Offer to perform contract for work & labor or supplying materials or goods at specified price. Usually more than one bid sought for contract.
BOARD OF COUNTY COMMISSIONERS (BCC)	Governing body of County composed of five members serving staggered terms of 4 years. There is one Commissioner for each of five County Commission districts. Elections occur on county-wide basis.
BUILDER	A person who constructs buildings under contract or as a speculator
CADASTRAL	Pertaining to a public record, survey, or map of the value, extent, and the ownership of land as a basis of taxation.
CONSOLIDATED STREET LIGHTING ORDINANCE	Article to rectify and amend consolidated street lighting districts within specified areas of the unincorporated territories of Seminole County.
CONTINGENCY FUNDS	Appropriations of funds set aside to cover unforeseen events that occur during fiscal periods or improvement projects.

CURBSIDE SERVICE	Collection service providing retrieval at edge of property or other designated location accessible by hauler equipment.
CULVERT	A drain pipe or masonry structure under a road or embankment.
DEVELOPER	A person who invests in and develops the urban or suburban potentialities of real estate, esp. by subdividing the land into home sites and then building houses and selling them.
DISTRICT	A territorial area into which a county is divided for judicial, political, electoral, or administrative purposes.
DISTRICT BOUNDARY	The defining parameters of parcels/property included in a designated district; outline of a geographical or territorial area;
DRAINAGE	Conveying water from one place to another to dry the former and prevent water from accumulating.
EASEMENT	A limited right of use over the property of another, such as any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.
FINAL ENGINEERING REPORT	A written report prepared by a licensed engineer describing the project background, findings, assumptions, permit recommendations, and probable costs to complete a specific MSBU project.
FISCAL YEAR	Twelve month financial period beginning October 1 and ending September 30.
FIXED TERM ASSESSMENT	Refer to "term assessment".
HERBICIDE (AQUATIC)	A selective weed killer that is not injurious to crop plants.
INTEREST EARNED	Interest earned on revenue.
INTEREST EXPENSE	Interest charged on funds that are borrowed.
LAKE RESTORATION	Specific efforts directed toward improving aquatic conditions so that deterioration is reduced, corrected, and/or controlled. Typically supplemented by long-term aquatic weed control and shoreline replanting requirements.
LEASEHOLD	The fact or condition of holding property by lease; receiving grant of temporary possession or use of (lands, tenements, etc., from another owner).

LIEN	A encumbrance or claim against a property by another party for payment of some debt, obligation, or duty. Usually impacts the transferability of the property.
LINEAR FOOT	A measurement equal to twelve inches and having the form of or resembling a line.
MUNICIPAL	Of or relating to a community or civic unit.
MUNICIPAL SERVICE BENEFIT UNIT(MSBU)	A special assessment district authorized by Florida Statute 125.01 to provide for improvements and/or services to a specifically defined area of the County and financed by a special assessment on only those properties receiving the benefits of those improvements and/or services.
MUNICIPALITY	Political unit usually having powers of self government. (7 incorporated cities (municipalities) in Seminole County: Altamonte Spgs, Casselberry, Lk Mary, Longwood, Oviedo, Sanford, Winter Springs.
NON-AD VALOREM ASSESSMENT	The assessments which are not based upon mileage and which can become a lien against a property.
OPERATING CONTINGENCY	A budgetary allotment set aside for emergencies or unforeseen expenditures not otherwise provided for in the budget.
ORDINANCE	A formal legislative enactment by the governing board of a municipality or other political subdivision.
PETITION FOR IMPROVEMENT	A formal document, prepared and distributed by the MSBU Program, used to determine the level of community support of an improvement project and the establishment of an MSBU for funding the improvement.
PETITION OF INTEREST	An informal communication to/from property owners with the purpose of determining preliminary interest in pursuing services or improvements through an MSBU.
PLAT	A map of a specific area of land usually a subdivision that is mapped by a licensed surveyor showing lot and other boundary lines.
PRELIMINARY ENGINEERING REPORT	A written report prepared by a licensed engineer describing the anticipated conditions, requirements, methods, permits, and estimated costs to be addressed to complete a specific project.
PRIVATE ROAD	Privately owned land/property used as a roadway.
PROJECT MANAGER	A person whose responsibilities include managing the activities, resources, and scheduling of a project.

PUBLIC HEARING	A meeting of the Board of County Commissioners that is open to the public for the purpose of providing opportunity for public input and commentary for Board consideration in advance of the Board establishing an MSBU or taking other action that may have financial impact on tax payers and/or other citizens.
PRIVATE LAKE OR WATERWAY	A body of water that is surrounded by land that is privately owned and without provisions for public access.
PUBLIC LAKE OR WATERWAY	A body of water that is navigable, includes provisions for public access, and/or associated with submerged lands owned by the state by right of its sovereignty in navigable freshwater lakes, rivers, and streams. [For additional information; refer to Florida Statutes 253.12.]
PUBLIC ROAD	Publically owned land/property used/designated as roadway (travel route).
RECONSTRUCTION	Replacement of an existing structure.
RESERVE	A specified amount of funds set aside for the purpose of meeting future or unanticipated expenses.
RESOLUTION	A special or temporary order of a legislative body with less legal formality than an ordinance or statute. Resolutions applying to MSBUs identify final MSBU district boundaries and special assessments.
RETENTION POND	Storm water treatment facility designed and constructed by specific design to retain volumes of storm water for defined basin area.
RETENTION POND RENOVATION	Re-establishing functionality of existing retention pond through site cleanup, dredging, aquatic weed control and other restorative efforts. Retention pond renovations are defined and given consideration on a case-by-case basis.
RIGHT OF WAY	Land dedicated, deeded, used or to be used, for street, alley, walkway, boulevard, public utilities, drainage, access for ingress/ egress, or other purpose by public, designated individuals, or governing bodies.
SATISFACTION OF LIEN	The fulfillment of an obligation, debt, or duty that releases the claim or charge that is held on property. Providing payment in full of a levied assessment.
SCOPE OF SERVICE/WORK	The required work effort, divided into tasks, to complete a specific project. The specific set of improvement requested.
SERVICE LEVEL	Specific to the curbside collection of residential solid waste, the service level identifies the frequency of collection and the collection services (with or without yard waste collection) selected by the property owner.
SERVICE YEAR	Specific to residential solid waste management, the calendar year to which the annual assessment is applied.
SEWER LINE	The connections used to transport water-carried wastes from residences, business buildings, institutions, industrial establishments, any and all other customers facilities.

SOLID WASTE	Household garbage, yard waste, and recycle items.
STATUTE	A written law enacted by a duly organized and constituted legislative body.
TAX COLLECTOR FEE	The amount paid to the County Tax Collector for the billing and the collection services associated with the non-ad valorem assessments levied by County.
TAX ROLL	Formal record of the complete ad valorem property tax rolls of Seminole County property) prepared by the Property Appraiser and certified to the Tax Collector for collection.
TERM ASSESSMENT	Type of assessment that has a fixed amount and a fixed time period for repayment; generally associated with construction projects that require financing terms to enhance affordability.
UNINCORPORATED AREA	Area of County which is not within boundaries of any municipality.
UNPLATTED LAND	Land that is not located in a platted subdivision. (See Platted)
VARIABLE RATE ASSESSMENT	Type of assessment by which the levied rate is determined on an annual basis according to financial requirements to continue and/or maintain services or improvements provided through an MSBU.
WATER LINE (Potable)	Water line or main that transmits or distributes water that (a) has been treated by a facility permitted by the Florida Department of Environmental Protection and (b) meets the requirements of the Florida Safe Drinking Water Act.
YARD WASTE	Vegetative matter resulting from yard and landscaping maintenance (leaves, grass clippings, branches, etc.)

Cover Sheet of Letter of Intent

Name _____
Mailing address _____
City, State Zip _____

RE: Proposed WALL RECONSTRUCTION MSBU

Our _____ community wall is in need of replacement. As an owner of property abutting the existing wall, your support is needed.

On behalf of the community, efforts are taking place to submit an application to Seminole County for establishing an MSBU (brochure available) to remove the existing subdivision wall and to construct a replacement wall in accordance with Seminole County Building code requirements. The Seminole County MSBU Program offers a unique opportunity that will enable the wall replacement to be coordinated by the County including demolition, construction, funding and financing. Following reconstruction, the cost of the project will be allocated equitably among the benefiting properties with installment payments collected via the property tax bill.

As an owner of property abutting the existing wall and/or property on which the wall exists, it is important that you are aware of the requirements of the project before the subdivision can formally apply for an MSBU. As a requirement of application, the County requires 100% of the owners of property abutting the wall and/or owners of the property on which the wall exists to submit a Letter of Intent regarding their agreement to grant the leasehold/easements needed to complete the project. The Letter of Intent communicates property owner commitment for the project and agreement to grant the required leasehold/easement should the project be supported by the community at a 65% or greater level of support.

Following application, community support will be determined via a Petition for Improvement. The Petition will be mailed to all property owners benefiting from the proposed project. The Petition will include the cost estimates for the project and the per property cost share. If the Petition demonstrates community support of 65% or more, then leasehold/easement document will be distributed for the owners to sign, the leasehold/easement documents will replace the Letter of Intent. The signed leasehold/easement documents must be available before the Seminole County Board of County Commissioners will give consideration to creating the MSBU.

Please review the information. If you have questions regarding the MSBU Program or the required documents, the MSBU Program can be reached at 407-665-7178. If you have questions or would like to participate on a community team dedicated to rebuilding the wall, please let me know.

Sincerely,

Community Liaison
Printed Name: _____

Letter of Intent

Proposed WALL RECONSTRUCTION MSBU

I/We are the owner(s) of real property noted on page 2 of this document, which is located within the unincorporated area of Seminole County and abuts, is contiguous with or adjoins property that contains an existing subdivision wall.

I/We understand that an easement and/or leasehold agreement will be required for the length of the demolition and construction period as well as the assessment repayment term to ensure the County or its representative is granted the right to work on the property during the removal and reconstruction period and will have confirmed public interest throughout the project and assessment repayment period.

I/We understand that a survey and title search of the property in question may be required in order for the County to verify that the undersigned are the owners of the property abutting the wall and/or owners of the property on which the wall exists, and that I/We have the legal right to grant an easement or leasehold. I/We understand that the costs associated with survey and /or title search are the responsibility of the applicant and/or interested property owners, and that these costs will be included in the total project costs to be repaid by the subdivision property owners should the MSBU be approved and the project completed.

I/We understand that approval by the Board of County Commissioners to establish the MSBU will include adopting and recording a preliminary assessment against the properties with the provision that the amount of the assessment is an estimate only and that a final amount will be determined at the completion of the reconstruction project. I/We acknowledge that the recording of the preliminary assessment constitutes recording of a lien against parcels and that annual assessments shall constitute a lien against the property until the final payment is made.

I/We understand that all properties in the subdivision benefit from a subdivision wall, and, therefore, will be assessed equitably on a per parcel basis according to the general benefit derived from the wall [1 benefit unit]. I/We understand that property abutting the wall has additional benefits of noise attenuation [.10 benefit unit] and glare abatement [.15 benefit unit] and will be assessed an equitable premium for these two additional benefits [.25 benefit units]. The proposed total benefit unit assessment for the abutting lots is 1.25 units; the total assessment benefit unit proposed for non-abutting properties is 1 unit.

I/We understand that the design and material of the new wall will be determined by the applicant and/or the community liaisons and will be clearly noted on the Petition for Improvement that will be distributed to the community for consideration and response.

I/We understand that any barriers impeding the construction of the improvement will be relocated at the expense of the individual property owner. Barriers hindering construction must be removed prior to demolition/reconstruction. Barriers include irrigation lines, utility sheds, trees/shrubbery, fences, or any object in close proximity (within the identified easement) to the wall. Any barrier not removed and relocated by the property owner will be removed and discarded by the contractor during preconstruction preparations.

I/We understand that the County will not be responsible for maintenance or repairs on the reconstructed wall at any time, nor will the County have liability for the wall beyond the duration of construction. The County will not be responsible for fountains, landscaping, irrigation, or lighting.

I/We understand and agree to execute the required easement(s) and leasehold to the County for this affected property should a communitywide support level of 65% or greater be noted for reconstruction of the wall during the formal Petition for Improvement process.

Letter of Intent (continued)
Proposed WALL RECONSTRUCTION MSBU

Parcel Identification ID

In accordance with the disclosure on page 1 of this Letter of Intent, the undersigned hereby submits this document and attests that I/We am/are the true and current owner/s of the parcel as identified above.

PLEASE NOTE: *It is recommended that Property Owners abutting the existing wall contact their mortgage companies to verify any clauses, restrictions or limitations regarding granting easement or leasehold as required in support of this project.*

Please check one box only.

"FOR"

☐

By checking this box and providing signature below, I support the application for the described wall reconstruction MSBU and agree to grant the required easement(s) and/or leaseholds should the MSBU be supported by a community support rate of at least 65%.

"AGAINST"

☐

By checking this box and providing signature below, I am opposed to the wall reconstruction application and do not agree to grant easement(s) or leasehold(s) in support of this proposed project.

Owners

SIGNATURE(S)

Owner _____

Owner _____

If two or more names appear on the property deed, ALL must sign for the parcel to be counted as "FOR" the MSBU.

You may return your Letter of Intent to one of the subdivision liaisons or mail to:

MSBU Program
1301 East Second Street
Sanford, FL 32771-1468

OWNER NAME: _____

ADDRESS _____

ADDRES _____

CITY, STATE ZIP _____

Page 2 of 2

Application for Establishing an MSBU WALL RECONSTRUCTION

Attachments (required):

- ☐ Application Fee ☐ Location Map
☐ Cost Estimate(s) ☐ Letters of Intent
☐ Product Preferences ☐ Photos of Existing Structure
☐ Design Request (Detailed Description & Technical Data)

Attachments (optional):

- ☐ Formal Design Plans
☐ Other: _____

REASON FOR REQUESTING MSBU

PROJECT LOCATION & CURRENT CONDITIONS

Subdivision: _____ Parcel ID/Reference: _____

Type of existing structure: ☐ Block/Stucco ☐ Brick ☐ Other : _____

Location of existing structure: _____

Age of structure: _____ Estimated length of structure (in feet): _____

Condition/Known structural deficiencies: _____

COMMUNITY INVOLVEMENT

Have the property owners held meetings to address wall conditions? If yes, please list dates and outcome.

What alternatives have been tried/considered for securing funding for project prior to seeking MSBU Program assistance?

What percentage of the property owners would likely attend meetings purposed at wall reconstruction and financial issues?

☐ <20% ☐ 20-50% ☐ 51-80% ☐ >80%

ALTERNATIVE FUNDING SOURCES

Does the community have a homeowner association? ☐ Yes ☐ No

If yes, is the nature of the homeowner association? ☐ Voluntary ☐ Mandatory

Does the association have the authority to levy assessments for improvements on common land? ☐ Yes ☐ No

OWNERSHIP OF EXISTING STRUCTURE & MAINTENANCE PROVISIONS

What restrictions apply to such assessments? _____

The land on which the existing wall is built is:

☐ Private/Individually owned ☐ Homeowner Association Owned ☐ Other: _____

If under individual ownership:

1) Are the owners willing to grant short term leasehold/easement to the County? ☐ Yes ☐ No

2) Are the owners willing to grant long term leasehold/easement to a community association purposed at providing wall maintenance after the wall is constructed? ☐ Yes ☐ No

SCOPE OF SERVICES & PROJECT APPROACH

Type of wall requested: ☐ Brick ☐ Block / Stucco ☐ Pre-Cast Concrete/Panel

Wall design: ☐ New design ☐ Duplicate original design

Note: Landscaping, irrigation, electric service, and/or lighting features are excluded from project consideration. Any such desired features must be funded privately and coordinated by the community or its representatives.

For Brick or Concrete Block Walls:

Is the required technical data & description of requested wall attached? ☐ Yes ☐ No

LICENSED AGENT PREPARING SCOPE OF SERVICES:

☐ Architect ☐ Engineer ☐ Wall Contractor ☐ Landscape Architect ☐ Other: _____

NAME _____ PHONE _____

ADDRESS _____

For Precast Concrete Walls:

Are Design/Product preferences attached? ☐ Yes ☐ No

Project Approach - For Brick or Concrete Block Walls (select one):

☐ **A. Demolition & Construction** - Requesting coordination of demotion and construction services. Applicant will provide official design, engineering and construction documents sealed by engineer or architect in format required to meet permitting requirements.

☐ **B. Demolition, Pre-Paid Design & Construction** - Requesting coordination of demolition, design and construction services. The MSBU Program will obtain design, engineering and construction documents in format required to meet permitting requirements based on preliminary design plans submitted by applicant. Applicant will provide prepayment of design/engineering work.

☐ **C. Demolition, Design & Construction** - Requesting coordination of demolition, design and construction services. The MSBU Program will obtain design, engineering and construction documents in format required to meet permitting requirements based on preliminary design plans submitted by applicant.

Project Approach - For Precast Concrete Walls:

☐ **D. Demolition & Construction** - Requesting coordination of demolition and construction services. Applicant will provide design/material preferences.

PROBABLE COST OF NEW WALL – COST ESTIMATEIs formal cost estimate attached? ☐ Yes ☐ No

The estimated project cost (inclusive of removal/disposal of existing structure, provisions for temporary barrier/fence, site preparation and construction) of the requested wall is:

\$ _____ per foot X _____ feet in length = project total of \$ _____

AGENT providing cost estimate: _____ PHONE _____
(Name)ADDRESS _____
☐ Architect ☐ Engineer ☐ Wall Contractor ☐ Landscape Architect ☐ Other: _____**COMMUNITY LIAISONS & APPLICANT INFORMATION**

Primary Liaison Information:

Secondary Liaison Information:

Name _____

Address (Mailing) _____

Property Address _____

(If different from mailing address)

Telephone(s) _____

Email _____

I have reviewed the information contained in the application packet. I understand that community support is essential to the establishment of an MSBU. I understand and accept that the application fee and all other prepayment requirements are deemed non-refundable and that any applicable credit provisions for such payments will not be available until such time as an MSBU is established, the project is completed and assessments are collected. I understand that the establishment of an MSBU is a discretionary decision of the Seminole County Board of County Commissioners as subject to state and local guidelines.

Applicant Type: ☐ Property Owner ☐ Homeowner Association ☐ Management Company

Applicant Name: _____ Email: _____

Address: _____ Phone: _____

Signature: _____ Date: _____

Submit this application together with the non-refundable application fee
(check made payable to BCC Seminole County) to:

Seminole County MSBU Program, 1301 East 2nd Street, Sanford, FL 32771